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To: Holt, David F

 Subject:
 To The Mayor: April 23, 2019

 Date:
 Tuesday, April 23, 2019 2:25:58 PM

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April 23, 2019 Houston, TX

Federal Judge Rules Flint Citizens Can Sue the Federal EPA-- "Lies, Recklessness, and

## **Profound Disrespect"**

Judge Linda Parker of the U.S. District Court for the Eastern District of Michigan ruled on April 18 that people; citizens of Flint, Michigan are free to sue the federal government over its mishandling of the city's water problems.

Judge Parker uses strong words about action, or lack of action, of the Obama Administration's EPA. Said Judge Parker, "The court can state with certainty that the acts leading to the creation of the Flint Water Crisis, alleged to be rooted in lies, recklessness, and profound disrespect have and will continue to produce a heinous impact for the people of Flint."

It was two years ago that Flint residents sued the EPA for "mishandling" the Flint water crisis and failing to utilize the Safe Drinking Water Act to intervene and protect residents of Flint and citizens of the United States. Approximately 3,000 people are named in the lawsuit, which the government has sought to dismiss. Judge Parker's ruling does not necessarily find any federal employees negligent, but it does mean the government is not immune from a lawsuit.

Attorney Michael, representing Flint residents in the lawsuit said that the EPA today seems confident that they are going to get the case dismissed but he did say that "we are now in a position where the EPA will have to make another assessment of their responsibility for the harm they caused."

Approximately 100,000 people in Flint were exposed to lead n their drinking water in 2014 after the Michigan EPA and the administration of then-Governor Rick Snyder switched the area's water source in an effort to save costs. Later, an outbreak of Legionnaires disease has been connected to the deaths of at least a dozen people.

At that time, the Mayor of Flint was not elected but was appointed because the city was in receivership. Judge Parker noted that the federal, state, and local employees were aware of the contamination but did not warn the people even as they were "poisoned", Judge Parker, an Obama appointee, noted in her ruling.

In June of 2015, Miguel del Toral, in an internal memo, was the whistleblower who expressed deep concern about Flint drinking water. He pleaded with

officials to do additional water testing. He wrote, "At a minimum, the city should be warning residents about the high lead, not hiding it, telling them there is no lead in the water." His concerns were ignored by his supervisors at the federal level as well as the state level. The EPA Administrator of Region 5 resigned during this period.

The recent ruling from Judge Parker comes at a time when the fallout from Flint's water crisis continues to affect all levels of government.

In January, an appeals court ruled that the city is not immune from federal civil lawsuits. Michigan's State Health Director is set to stand trial for involuntary manslaughter over two deaths linked to the water crisis. Court cases are also pending against other city and state officials as Flint residents continue to seek accountability, including against former Governor Snyder.

Today, Michigan says and argues that Flint drinking water is safe. Flint residents disagree and say there are still cases of people breaking out in rashes. Many residents still do not believe the government has effectively fixed the problem. Today, reports indicate many Flint residents still rely on bottled water over filtered tap water due to the fear of lead and concern for their safety.

During the time of the crisis, Karen Weaver, the current Mayor, ran as a reform candidate for mayor to deal with the water crisis. Then-Conference President and former Baltimore Mayor Stephanie Rawlings-Blake appointed a special task force to have the mission to go to Flint to assist the new Mayor, Karen Weaver, as she was faced with faulty information and resistance from the state and federal government to face up to the negligence that became apparent through our visits, the media, and Congressional hearings on the crisis. Former Atlanta Mayor Shirley Franklin, representatives of the Conference of Mayors' Water Council and I, along with Conference staff spent considerate time on this issue and we continue to support Mayor Weaver who has been an incredible leader for her city and its people while she faces this crisis that continues today.

On a regular basis, we continue to learn of lead exposure throughout the nation and as an organization, we are doing our best to advocate to our federal government and Congress that safe drinking water is a top priority for our nation.

## Lousiville Mayor Fischer: Mayor's Give A Day Week of Service

When Conference Second Vice President Louisville Mayor Greg Fischer took office in 2011, he set three goals for Louisville focused on improving the core pillars of community life. He said we must become a city of lifelong learning, a healthier city, and a city of even greater compassion.

The Mayor's Give A Day Week of Service, a partnership with Lousiville Metro United Way, is the signature piece of the compassion goal.

Each spring, community and corporate volunteers across Louisville commit selfless acts of compassion. Neighbors clean up streets and parks, students collect goods for people in need, and community leaders donate blood, and repair homes. They read to students, mentor, assemble care packages – and much more. Though these good deeds happen in Louisville throughout the year, Give A Day puts the needs and the benefits into focus, lifting citizens in need and setting a lasting tone of compassion for the entire city.

So far this week, Give A Day volunteers have joined more than 2,500 young people to Walk for Compassion, made 3,000 breakfast burritos for local food pantries, built 158 beds for children who otherwise don't have one, and nearly 20,000 people have cleaned up our parks and neighborhoods.

Give A Day 2018 supported the Lousiville community with more than 205,000 volunteers and acts of compassion and 2019 is shaping up to be the biggest yet.

You can learn more about the program here.

## Here's a Fact.

On this day, April 23, 1564, William Shakespeare was born. He is credited and widely regarded as the greatest writer in the English language. His works

consist of 38 plays, 154 sonnets, 2 long narrative poems, and other verses. His works have been translated into every major living language and are performed more often than those of any other playwright in the world.

At 18, he married Anne Hathway with whom he had 3 children, Susana, and twins Hammet, and Judith.

It was between 1585 and 1592 that he began a successful career as an actor, writer, and part-owner to a playing company known as King's Men. He retired to Stratford at age 49 where he died three years later at age 53.

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